

Application Number 10/821,063
Amendment dated 29 August 2006
Reply to Office Action of 3 May 2006

AUG 29 2006

Remarks/Arguments

Applicant thanks the Examiner for indicating that Claims 1–43 and 49–55 are allowed. Applicant has cancelled rejected Claims 44–48 without prejudice to their presentation in one or more continuation applications. Applicant has amended Claims 19 and 31 to correct a grammatical error. Therefore, only allowed Claims 1–43 and 49–55 remain pending in this Application.

Claim Rejections Under 35 U.S.C. § 102.

Claims 44 and 48 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,859,917 ("Silber"). Applicant has cancelled Claims 44 and 48, and therefore respectfully requests that these rejections be withdrawn.

Claim Rejections Under 35 U.S.C. § 103.

Claims 45–47 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Silber in view of U.S. Patent 6,101,262 ("Haase"). Applicant has cancelled Claims 45–47, and therefore respectfully requests that these rejections be withdrawn.

Comment on Statement of Reasons for the Indication of Allowable Subject Matter.

In the Examiner's statement of reasons for the indication of allowable subject matter ("Statement"), the Examiner has listed certain elements which are neither taught nor suggested by the prior art of record. Applicant notes that certain of the allowable claims do not contain any of the elements listed by the Examiner. Applicant therefore respectfully disagrees with the Examiner's Statement to the extent it implies that certain unrecited elements are required by certain claims. The Examiner's statement of reasons for allowance is the personal opinion of the Examiner as to why the claims are allowable, and should not create an estoppel with respect to future claim construction. See MPEP 1302.14.

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Conclusion.

Only allowed Claims 1-43 and 49-55 remain pending in this Application. Applicant submits that this application is therefore in condition for allowance, and respectfully requests the same. If, however, some issue remains that the Examiner feels can be addressed by an Examiner's Amendment, the Examiner is cordially invited to call the undersigned for authorization.

Respectfully submitted,

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Dated: 29 aug 06

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